REMARKS:

In the outstanding Office Action, claims 1 and 3-19 were rejected. Claims 1, 6-8, 15 and 18 have been amended for clarification, claim 19 is cancelled without prejudice, and claim 2 remains cancelled. Proper support for the amendments is found at least at page 12, lines 3-6, FIG. 2 and page 13, line 7 through page 15.

Thus, claims 1 and 3-18 are pending and under consideration. No new matter has been added. The rejections are traversed below.

OBJECTION TO CLAIM 15:

At item 3 of the outstanding Office Action, the Examiner objected to claim 15 and indicates that claim 15 covers the same content as claim 1.

Claim 15 is amended herein to recite, "a service provision method for service provision using a client connected with a server via a network" including "determining whether said server becomes accessible by comparing an access number and a submitted access number via said client".

Therefore, withdrawal of the objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112¶2:

Claims 3, 7 and 15 were rejected under 35 U.S.C. § 112¶2 as being indefinite. Claims 7 and 15 are amended herein to comply with the requirements of 35 U.S.C. § 112¶2.

Regarding claim 3, the Examiner indicates that the "said input password recitation" in claim 3 lacks antecedent basis. However, Applicants respectfully submit that claim 3 does not includes "said input password" recitation.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102(e):

Claims 1, 7, 14-17 and 19 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,088,737 (Yano).

Yano determines whether an addition of a client to a number of clients currently connected to a server would exceed a permissible number, and provides the client with information indicative of a current access state when the permissible number is exceeded. In Yano, a monitor server collects and monitors operation state of an image server (110), a relay server (111) and an image viewer (112) (see, col. 11, lines 21-30). Yano is directed to providing

access static information that provides a user with the ability to determine the user's next action (i.e., wait and re-send an access request or give up sending the access request), and requires the user to re-send the access request again because the user's request is cancelled (see, col. 7, lines 24-33, col. 8, lines 17-30 and FIG. 3).

The present invention determines whether a server is accessible based on information of currently connected clients and current requests, and "automatically" connects a client to the server according to "a condition" that an access number issued to each request becomes less than or equal to a submitted access number that is indicative of each completion of a service, while suspending an access request when it is determined that a server is inaccessible.

Independent claim 1 as amended recites that the present invention includes, "suspending said access request and displaying information of a number of accesses to said server on said client" when it is determined that the server is inaccessible and "automatically connecting said client whose access request is suspended with said server at a time when said server becomes accessible according to a condition that said access number becomes less than or equal to said submitted access number after displaying said information of the number of accesses".

Independent claim 15 as amended also recites that a service provision method of the present invention using a client includes, "determining whether said server becomes accessible by comparing an access number and a submitted access number via said client", "suspending said access request..." when it is determined that the server is inaccessible and "automatically connecting said client ...when said server becomes accessible according to a condition that said access number becomes less than or equal to said submitted access number after displaying said information of the number of accesses".

Yano that cancels a user's access request and requires the user to re-send the same does not teach or suggest, "suspending" an access request and "automatically" connecting a client to the server when the server becomes accessible based on "a condition that said access number becomes less than or equal to said submitted access number" (claims 1 and 15).

It is submitted that the independent claims are patentable over Yano.

For at least the above-mentioned reasons, claims depending from independent claims 1 and 15 are patentably distinguishable over Yano. The dependent claims are also independently patentable. For example, as recited in claim 8, "when said information of the number of accesses is displayed on said client, an estimated time of when said server becomes accessible, which is obtained according to a time varied condition of said information of the

number of accesses, is displayed". The <u>Yano</u> method does not teach or suggest, "suspending said access request" (claim 1 upon which claim 8 depends) when a server is inaccessible and displaying "an estimated time of when said server becomes accessible, which is obtained according to a time varied condition of said information of the number of accesses" (claim 8).

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103(a):

Dependent claims 3-6, 8-13 and independent claim 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of the following: <u>Yano</u>, U.S. Patent No. 5,006,983 (<u>Wayne</u>), U.S. Patent No. 5,867,572 (<u>MacDonald</u>), U.S. Patent Publication No. 2002/0101881 (<u>Sundaresan</u>), U.S. Patent No. 4,788,715 (<u>Lee</u>), U.S. Patent No. 6,023,681(<u>Whitt</u>), U.S. Patent No. 6,006,269 (<u>Phaal</u>) and U.S. Patent No. 6,470,323 (<u>Suzuki</u>).

The Examiner combines <u>Yano</u> and <u>MacDonald</u> to reject independent claim 18. However, <u>MacDonald</u> determines whether there is a call(s) awaiting handling (see, column 3, lines 54-56 and column 4, lines 29-33), and stores information of an incoming call using an address table as indicated in a queue pointer (see, column 4, lines 34-40). That is, <u>MacDonald</u> is directed to providing a voice announcement related to the caller's position in the queue (see, column 5, lines 59-63).

Independent claim 18 as amended recites that the present invention displays "information of a number of accesses directly or indirectly indicating a number of uncompleted requests according to an access number and a submitted number" and "automatically connects said client to said third server at the time said third server becomes accessible according to a condition that said access number becomes less than or equal to said submitted access number".

The combination of <u>Yano</u> and <u>MacDonald</u> does not teach or suggest, "said first server immediately connects said client with said third server, when said third server becomes accessible, and connects said client to said second server when said third server does not become available", "said second server displays said information of a number of accesses of said third server on said client... [that is] updated at a fixed time interval after" and "automatically connects said client to said third server at the time said third server becomes accessible", as recited in independent claim 18.

The Examiner also rejects dependent claims 3-6 and 8-13 based on the combination of <u>Yano</u> and <u>Wayne</u>, <u>MacDonald</u>, <u>Sundaresan</u>, <u>Lee</u>, <u>Whitt</u>, <u>Phaal</u> or <u>Suzuki</u>. For at least the above-

mentioned reasons, dependent claims 3-6 and 8-13 are patentably distinguishable over the cited references.

Further, Wayne is limited to providing information to individuals with assigned communication devices when a service resource is or will become available (see, column 1, lines 40-51 and column 4, lines 50-64), Lee is limited to administering a queue of incoming calls through pointers so that when a service position becomes available, a first customer in the queue is connected to the server (see, column 3, lines 10-17) and Whitt is directed to estimating a wait time for a customer based on attributes thereof to predict whether the customer's service will be less than or equal to any specified time (see, column 3, lines 8-14).

The cited references, either alone or in combination, do not teach or suggest "suspending said access request" when it is determined that the server is inaccessible and "automatically connecting said client when said server becomes accessible according to a condition" (claim 1 upon which claims 3-6 and 8-13 depend), including the features recited in claims 3-6 and 8-13. For example, as recited in dependent claim 5, the present invention includes sending "an E-mail that indicates said server is accessible to a pre-registered mail address of said user before access to said server".

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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